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8 *Attorney for Plaintiff*
9 *And the Putative Class*

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

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13
14 THANE CHARMAN, individually and on
15 behalf of all others similarly situated,

16 Plaintiff,

17 v.

18 BIOGNOMICS LAB, LLC, a California
19 Limited Liability Company, JON
20 PHILLIP LICATA, an individual, DAVID
21 LEE OTTESTAD, an individual, and
22 JOHN DOE, an unknown business entity,
23 Defendants.

Case No.: 8:22-cv-00940-SPG-DFMx

**PLAINTIFF'S REQUEST FOR
CLERK'S DEFAULT AGAINST
BIOGNOMICS LAB, LLC**

24 Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, Plaintiff hereby
25 requests that the Clerk enter default against defendant BIOGNOMICS LAB, LLC. In
26 support of this request, Plaintiff states the following:
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- 1 1. On May 6, 2022, Plaintiff filed a Complaint against Defendant
2 BIOGNOMICS LAB, LLC, alleging violations of the Telephone Consumer
3 Protection Act (or the “TCPA”) 47 U.S.C. § 227. (Dkt. 1). *See* Declaration
4 of Mark L. Javitch in Support of Plaintiff’s Request for Default, ¶ 3
5 (“Javitch Decl.”).
- 6 2. On June 1, 2022, a process server served a copy of the complaint and
7 summons upon Defendant BIOGNOMICS LAB, LLC. *See* Dkt. 20; *Id.* ¶ 4.
- 8 3. As of the date of this filing, more than 21 days have passed since serving the
9 summons and complaint upon Defendant BIOGNOMICS LAB, LLC, and
10 Defendant BIOGNOMICS LAB, LLC has yet to plead or otherwise respond
11 to this Court as required by Fed. R. Civ. P. 12. *Id.* ¶ 5.

12 WHEREFORE, Plaintiff respectfully requests that the Clerk enter default against
13 Defendant BIOGNOMICS LAB, LLC in accordance with Fed. R. Civ. P. 55(a).

14 Dated: July 14, 2022

15 Respectfully Submitted,

16 By: /s/ Mark L. Javitch
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